



## CITY OF HAYWARD AGENDA REPORT

AGENDA DATE 7-28-98  
AGENDA ITEM 11C  
WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Vacation of **Prince Street** and a **portion** of **Watkins Street**

### **RECOMMENDATION:**

It is recommended that the City Council adopt a resolution authorizing the vacation of Prince Street and a portion of Watkins Street **between** A and B Streets, in connection with the retail project proposed by American Stores **Properties**, Inc.

### **BACKGROUND:**

The proposed project is located between A and B Streets, from Mission Boulevard to approximately 270 feet west of Watkins Street. A 67,389 square foot **Lucky-Sav-on** store and additional retail shop space will be built on the block west of Watkins Street, and a parking area and an 8,000 square foot retail building will be built on the block east of Watkins Street. Both Watkins Street between A and B Streets, and a public alley known as Prince Street, will need to be vacated.

Prince Street alley first **appeared** on maps in 1910, **under** private ownership by David Smalley. The City adopted an ordinance creating a public street there in 1926. The alley is 11 to 15 feet wide, approximately 290 feet long, and runs **between** Watkins Street and Mission Boulevard. It has been used primarily as a service alley. Upon abandonment, title will revert to private ownership and will have to be acquired. The portion of Watkins Street to be vacated is 80 feet wide and approximately 400 feet long, and was created prior to 1891. The underlying fee title to this street is in the names of the adjoining property owners, including the Redevelopment Agency., and fee title will be acquired as the adjacent properties are acquired. It is anticipated that an existing easement for a water line will be retained upon vacation of the street. Through traffic would be diverted to either Mission Boulevard or Montgomery Street, however, existing traffic signals at A and B Street would remain to serve the project.

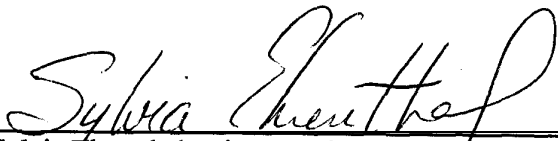
The Planning Commission previously reviewed this matter along with consideration of the project in May, and the City Council approved a resolution of intention to vacate these rights of way on July 7, 1998, along with the mitigated negative declaration under the **California** Environmental Quality Act (**CEQA**). The streets would not be **vacated** until such time as all approvals have been secured for the project, the affected tenants have been relocated, and construction necessitating the closure of the street is ready to begin.

Mayor and City Council  
July 28, 1998

**Prepared by:**

  
Maret Bartlett, Redevelopment Director

**Recommended by:**

  
Sylvia Ehrenthal, Director of Community & Economic Development

**Approved by:**

  
Jesús Armas, City Manager

# DRAFT

om 7-21-98

## HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council member \_\_\_\_\_

### RESOLUTION VACATING A PORTION OF WATKINS STREET BETWEEN "A" AND "B" STREETS, AND PRINCE STREET

WHEREAS, by Resolution No. 98-130, the City Council declared its intention to proceed under the provisions of section 8320 et seq. of the California Streets and Highway Code to vacate a roadway easement of Prince Street and a portion of Watkins Street between "A" and "B" Streets, and scheduled a July 21, 1998 public hearing on the matter; and

WHEREAS, the matter has heretofore been referred to the Director of Public Works who has submitted his recommendation on the vacation; and

WHEREAS, the Planning Commission has determined that the vacation of the public right of way and reservation of the existing public utility easement is consistent with the General Policies Plan of the City of Hayward; and

WHEREAS, the public hearing, regarding the proposed vacation of the roadway easement of Prince Street and Watkins Street between "A" and "B" Streets was continued to July 28, 1998.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward finds from all evidence submitted at the July 28, 1998, public hearing that the portion of Watkins Street between "A" and "B" Streets and Prince Street referred to in the above mentioned resolution of intention is unnecessary for present or prospective public street purposes and that it is appropriate to reserve the existing public utility easement; and

IT IS THEREFORE HEREBY ORDERED by the City Council that the roadway easement of Prince Street and a portion of Watkins Street between "A" and "B" Streets in the City of Hayward, California, shall be deemed vacated upon the occurrence of all of the following conditions:

1. When a building permit is issued for SPR 98-130-02, the retail center project approved by the City Council on July 7, 1998, pursuant to Resolution No. 98-129 and
2. The City Building Official notifies the City Clerk of the issuance of such building permit, and

3. The City Clerk thereafter causes a certified copy of this resolution to be recorded in the office of the Alameda County Recorder.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 1998

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward